



John Holdslaw <JHoldslaw@ncbdc.org> on 02/04/2004 09:33:03 AM

To: mdove@fec.gov
cc: commissionersmith@fec.gov, commissionerweintraub@fec.gov, commissionermason@fec.gov,
commissionermcdonald@fec.gov, commissionerthomas@fec.gov, commissioner-toner@fec.gov, lnorton@fec.gov
Subject: Comment on Draft Advisory Opinion 2003-37

VIA ELECTRONIC MAIL: mdove@fec.gov

Mary W. Dove
Secretary of the Commission
Federal Election Commission
999 E Street, NW, Room 905
Washington, DC 20463-0002

Re: Draft Advisory Opinion 2003-37

Dear Ms. Dove,

We are commenting on the General Counsel's draft Advisory Opinion prepared in response to a request by Americans for a Better Country. We have profound concerns about the broad scope of the opinion.

We are a nonprofit corporation with a mission of developing, financing and empowering America's communities. We are exempt from federal income taxation under section 501(c)(3) of the Internal Revenue Code. We regularly seek to educate the public and to advocate positions on legislative and policy issues, including the positions taken by federal officeholders.

If the draft opinion is adopted as proposed by the General Counsel, the result may be that we could no longer conduct these activities unless we raise and spend funds in accordance with the source and contribution limitations of the Federal Election Campaign Act. This would restrict our ability to speak out on policy issues where we have gained significant expertise.

We are not a partisan organization. We express no preference for members of one political party or the other. We are a team of finance and development professionals seeking to address the needs of low-income Americans. If this draft opinion is adopted, we will be less effective in our work and many policy makers will have less of an opportunity to benefit from our experience.

We strongly urge you to reconsider this proposed action. If you have questions about this comment, you may contact me directly at 202.336.7681,

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tsimonette@ncbdc.org or John Holdsclaw, NCBDC's director of policy development at 202.218.7289, jholdsclaw@ncbdc.org.

Thank you for considering our views.

Respectfully submitted,

Terry D. Simonette
President & CEO, NCBDC

cc: Bradley A. Smith, Chairman, Federal Election Commission
Ellen L. Weintraub, Vice Chair, Federal Election Commission
Commissioner David M. Mason, Federal Election Commission
Commissioner Danny L. McDonald, Federal Election Commission
Commissioner Scott E. Thomas, Federal Election Commission
Commissioner Michael E. Toner, Federal Election Commission
Lawrence H. Norton, General Counsel, Federal Election Commission

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